



0000201714

BEFORE THE ARIZONA CORPORATION COMMISSION**COMMISSIONERS**

ROBERT "BOB" BURNS – Chairman
BOYD DUNN
SANDRA D. KENNEDY
JUSTIN OLSON
LEA MARQUEZ PETERSON

Arizona Corporation Commission

DOCKETED**JUN 30 2020****DOCKETED BY**

IN THE MATTER OF THE COMMISSION'S
INQUIRY/INVESTIGATION OF QWEST
CORPORATION DBA CENTURYLINK QC
REGARDING 911 OUTAGES.

DOCKET NO. T-01051B-19-0001

IN THE MATTER OF THE COMMISSION'S
INQUIRY/INVESTIGATION REGARDING
THE ADEQUACY OF THE EQUIPMENT
AND FACILITIES OF QWEST
CORPORATION DBA CENTURYLINK QC.

DOCKET NO. T-01051B-19-0183

DECISION NO. 77664**ORDER**

Open Meeting
June 10-11, 2020
Phoenix, Arizona

BY THE COMMISSION:

Having considered the entire record herein and being fully advised in the premises, the Arizona Corporation Commission ("Commission") finds, concludes and orders that:

FINDINGS OF FACT

1. The Commission has jurisdiction to hear complaints against public service corporations pursuant to A.R.S. § 40-246. The Commission has jurisdiction to supervise and regulate public service corporations pursuant to Article XV of the Arizona Constitution and Title 40 of the Arizona Revised Statutes.

I. CENTURYLINK QC.

2. Qwest Corporation DBA CenturyLink QC ("CenturyLink QC" or "Company") is a Colorado corporation that provides telecommunications services throughout much of Arizona.

3. CenturyLink QC is classified as a Class "A" utility for purposes of the Commission's rate case filing requirements.

1 4. CenturyLink QC provides a full range of telecommunications and internet services in
2 Arizona. CenturyLink QC provides or is involved in the provision of 911 services in Arizona.

3 **II. BACKGROUND.**

4 5. As a condition of providing service in Arizona, CenturyLink QC is required to
5 comply with Arizona law, Commission Orders, Rules and Regulations.

6 6. CenturyLink QC currently has three other enforcement dockets, in addition to the two
7 dockets involved in this Order to Show Cause. Those dockets include: 1) In the Matter of the
8 Commission's Inquiry/Investigation of Qwest Corporation d/b/a CenturyLink QC Regarding
9 Customer Proprietary Network Information Data Breach (Docket No. T-01051B-19-0277); 2) In the
10 Matter of the Commission's Investigation of Qwest DBA CenturyLink QC's Failure to Comply with
11 the Commission's Blue Stake Law, (Docket No: T-01051B-19-0135); and 3) Investigation into
12 CenturyLink QC's Compliance with the Tax Docket (Docket No. T-01051B-18-0258).

13 7. Recently, the Arizona Attorney General announced a settlement with CenturyLink
14 QC after allegations that CenturyLink QC was using deceptive and unfair advertising and billing
15 methods. CenturyLink QC was fined almost \$11 million, including having to return \$1.9 million to
16 consumers, invest \$2 million in fiber-optic infrastructure improvements, and pay \$7 million to the
17 state of Arizona.

18 8. Subsequently, Staff was directed by the Commission to file an Order to Show Cause
19 ("OSC") due to health and safety concerns. Staff's Complaint focuses on the enforcement dockets
20 which it believed involved a trend of cost-cutting at the expense of consumer health and safety, over-
21 reliance on third-party contractors, inadequate oversight and education of third-party contractors,
22 failure to follow best practices in some cases, and failure by CenturyLink QC to maintain and keep
23 its facilities in a condition suitable to provide safe and adequate service.

24 9. The two primary Dockets involved in the Complaint and the OSC involve issues
25 concerning CenturyLink QC's provision of 911 services in Arizona and the adequacy of the
26 Company's equipment and facilities, as set forth in a Docket opened by Commissioner Kennedy.
27 The Complaint and OSC are also based upon several complaints/inquiries by customers in the
28 Consumer Services 2018 and 2019 database, stating that CenturyLink QC failed to respond in a

1 timely manner to service outages which resulted in the customers being unable to call 911 for
2 varying periods of time. The assertions made in the two Dockets and complaints reflect a failure on
3 the part of the Company to maintain its service, equipment and facilities in a manner to ensure the
4 health and safety of its customers at all times.

5 10. Under A.R.S. § 40-361(B), every public service corporation is required to maintain
6 “such service, equipment and facilities as will promote the safety, health, comfort, and convenience
7 of its patrons, employees, and the public, and as will be in all respects adequate, efficient and
8 reasonable.”

9 11. Nothing is more fundamental to a customer’s health and safety than the ability to call
10 911 to obtain emergency assistance. 911 is the abbreviated dialing code used in the United States
11 (and some other countries) that end-users dial to obtain emergency assistance. Early 911 systems
12 had many constraints. Many areas in the United States now have Enhanced 911 (“E-911”) which
13 automatically provides the caller’s location to 911 dispatchers. Some areas also have Next
14 Generation 911 (“NG-911”) which utilize the IP network to deliver voice, video, text and data calls
15 to the Public Service Answering Point (“PSAP”). The PSAP functions as a call center and is the
16 point where emergency calls are sent.

17 12. Many state, local and federal agencies have roles with respect to the provision of 911
18 service. The Federal Communications Commission (“FCC”) plays a major role due to the need for
19 uniformity nationwide. Different state and local agencies, including the Commission, play important
20 roles as well.

21 13. In its Complaint, Staff alleged the following claims in ten separate counts:

22 a. Count One – Failure to maintain critical infrastructure and to take steps to
23 ensure the availability of essential health and safety services – unjust and unreasonable service;

24 b. Count Two – Failure to communicate critical information and to mitigate and
25 restore essential health and safety services on a timely basis – failure to maintain such service and
26 facilities so to promote public health and safety;

1 c. Count Three – Inappropriate use of 911 resources due to failure to respond
2 and correct facility issues – failure to furnish and maintain such service and equipment as will
3 promote the safety and health of the public;

4 d. Count Four – Unreasonable delays in addressing problems with critical
5 services affecting the health and safety of customers- failure to maintain equipment and provide
6 service that promotes the health and safety of customers;

7 e. Count Five – Failure to ensure the redundancy necessary in providing critical
8 services affecting the health and safety of customers –failure to furnish and maintain such service,
9 equipment and facilities to promote the safety and health of the public;

10 f. Count Six - Failure to implement procedures or best practices applicable to
11 CenturyLink QC employees and third-party contractors – failure to ensure availability of critical
12 health and safety services and facilities;

13 g. Count Seven – Violation of A.A.C. R14-2-507(A);

14 h. Count Eight – Violation of A.A.C. R14-2-507(C);

15 i. Count Nine – Violation of A.A.C. R14-2-507(D)(5); and

16 j. Count Ten – Failure to maintain pedestals and other network equipment in a
17 safe condition – failure to maintain facilities and equipment in a condition that will promote the
18 health and safety of customers.

19 14. Since all of these counts involve issues concerning the health and safety of
20 CenturyLink QC's customers, it is important that these issues be resolved expeditiously. During the
21 May 2020 Open Meeting, the Commission voted in favor of proceeding with an OSC against
22 CenturyLink QC in Docket Nos. T-01051B-19-0001 and T-01051B-19-0183. The Order to Show
23 Cause, Decision No. 77633, was docketed on May 14, 2020. In the OSC, the Commission directed
24 the Hearing Division to convene a procedural conference for the purpose of setting a procedural
25 schedule in the case.

26 15. Subsequently, several events occurred that resulted in Staff seeking clarification on
27 whether the Commission desired to proceed on a litigation track or a compliance track.
28

1 16 First, similar to all other cases before the Commission, Covid-19 is having a
2 significant impact upon Staff's resources and the parties agreed that any procedural schedule, if set,
3 would likely have to be revisited.

4 17. Second, CenturyLink QC approached the Commission Utilities Division Staff
5 ("Staff") with a proposed Remedy Plan that would address the issues raised in the OSC. The
6 Remedy Plan focuses on CenturyLink QC coming into compliance with its obligation to provide safe
7 and reliable service as required under Arizona law. Importantly, CenturyLink QC agreed in the
8 proposed Remedy Plan to address the concerns raised on a statewide basis.

9 18. Finally, at the May 21, 2020 procedural conference a statement from Chairman Burns
10 was read into the record wherein the Chairman expressed a preference for CenturyLink QC to spend
11 its time correcting the facility and service issues raised in the OSC rather than spending considerable
12 time litigating the issues with the end result being the imposition of fines. Sanctions will not correct
13 the problems with CenturyLink QC's service and facilities. An important element of the Chairman's
14 statement, however, was that if significant progress is not made by CenturyLink QC in resolving the
15 issues, the OSC would be immediately reinstated. The Chairman's statement was docketed on May
16 21, 2020.

17 19. At the procedural conference, Commissioner Kennedy expressed concern with
18 postponing processing of the OSC. Commissioner Kennedy stated it was important to proceed with
19 the OSC due to the need to address health and safety concerns, to ensure safe and reliable service by
20 CenturyLink QC, and to address CenturyLink QC's lack of compliance to-date.

21 20. Under the circumstances, Administrative Law Judge Scott M. Hesla decided that it
22 was reasonable for Staff to seek further clarification from the Commissioners at the June Open
23 Meeting on whether the Commission desired to proceed with CenturyLink QC's proposed Remedy
24 Plan. A May 22, 2020 procedural order required Staff to submit the proposed Remedy Plan, with
25 Staff's recommendations, for the Commission's consideration by May 28, 2020. Upon request by
26 Staff, the deadline for submission of the proposed Remedy Plan was extended to June 1, 2020. Staff
27 filed CenturyLink QC's proposed Remedy Plan along with its recommendations on June 1, 2020.

28

21. Staff was also ordered to provide notice of the proposed Remedy Plan to all affected municipalities and interested stakeholders as soon as practical. Staff provided such notice via email on June 8, 2020.

22. At the Open Meeting on June 11, 2020, CenturyLink QC's counsel Timothy Berg stated that CenturyLink QC wants to work to ensure adequate 911 services and maintenance of facilities and repairs. After the OSC was adopted by the Commission, CenturyLink QC continued to reach out to Staff on how CenturyLink QC could address the issues raised in the OSC through the development of a Remedy Plan with Staff's assistance to bring the Company into compliance on these important matters. CenturyLink QC recognizes the importance of resolving the issues for its customers. CenturyLink QC believes that the best way to come into compliance is through the proposed Remedy Plan. CenturyLink QC is fully committed to obtaining the resolutions contained in the Remedy Plan.

23. CenturyLink QC's Associate General Counsel, Timothy Goodwin, reiterated that CenturyLink QC is taking its obligations under the Remedy Plan very seriously and will be proactive in addressing each issue, communicating with relevant stakeholders and following through with the proposed Remedy Plan. Mr. Goodwin gave an overview of the proposed Remedy Plan saying that each element in the Remedy Plan contained key principles, specific deliverables, and concrete steps that CenturyLink QC agreed to take to come into compliance with each concern raised in the OSC. Mr. Goodwin stated the following regarding the various elements of the Remedy Plan:

Remedy Plan, Item I – Item I addresses issues raised in Docket No. T-01051B-19-0183. This Docket deals with facilities and enclosures in disrepair in CenturyLink QC's service area. The facilities will be identified, timely repairs will be made, a focus placed on customer awareness of this effort, and a log will be kept of all repairs made by the Company. CenturyLink QC will leverage their employees and the public through various mediums including notices, a designated phone number and email address for customers to leave information on needed repairs, posters, a notice on the website, meetings and other means. The designated email and phone number will be closely monitored. Field personnel drive approximately 9 million miles a year in the Company's Arizona service territory. CenturyLink QC will instruct its field personnel to look for facilities in need of

1 repair and “if they see something, they are to say something.” The Company will need the support
2 of Communications Workers’ of America (“CWA”). Finally, the Company will endeavor to repair
3 identified facilities within 20 days, but no later than 30 days.

4 **Remedy Plan, Item II** – Item II of the proposed Remedy Plan addresses the 911 outage
5 issue. A key focus is to minimize 911 service failures on a statewide basis and telephone service
6 failures impacting the customers’ ability to call 911. Another identified objective is to develop an
7 improved communications plan and processes for 911 service outage events. However, the focus
8 will be on diversity and redundancy issues. CenturyLink QC will work to find solutions for facilities
9 diversity to ensure availability of critical 911 facilities affecting health and safety. CenturyLink QC
10 will provision a diverse pathway to Page by the end of the year. The existing radio connection is not
11 reliable enough and a backup is needed. CenturyLink will deploy this back up by year end, through
12 contract with another provider. That process is sufficiently along that CenturyLink can commit to
13 achieve this deadline by year-end.

14 CenturyLink QC also agrees to establish a 911 Task Force which CenturyLink QC will drive
15 with Staff assistance. The Task Force will focus first on 911 redundancy and diversity issues on a
16 statewide basis. The process for this is laid out in the Remedy Plan. CenturyLink will first
17 inventory – what diversity challenges are there in Arizona and what areas need diversity and
18 redundancy throughout Arizona. CenturyLink QC will enlist the help of the other stakeholders listed
19 on page 4 of the Remedy Plan and will recruit them for partnerships to get the routes in need of
20 backup circuits to accomplish diversity and redundancy addressed. This may bring to light other
21 areas of Arizona that need the same issues addressed, where CenturyLink QC is not providing
22 service. The Task Force will also look at which areas should be addressed first – and what criteria
23 should be used to prioritize projects. Finally, how to fund and partner the various projects will then
24 be discussed.

25 The Task Force will also look at improving communications between the various entities
26 involved in the 911 process. It will also address on a going forward basis 911 issues of concern
27 which are likely to arise from time to time.
28

1 **Remedy Plan, Item III.** This Item addresses improved outage reporting and notification
2 standards. The Company will provide outage reporting to the Commission consistent with the FCC
3 Network Outage Reporting System (“NORS”) standards. The Commission will also receive copies
4 of NORS reports filed with the FCC. The Company is also committed to address NORS reporting
5 standards in the current rulemaking and will also seek to clarify certain terms used in those
6 proceedings. CenturyLink will address all of these issues in the workshops and/or hearings in the
7 relevant dockets. Finally, CenturyLink QC will explain the nonreported outages discussed in the
8 Staff Complaint in a meeting with Staff and in its first monthly report.

9 **Remedy Plan, Item IV.** This Item addresses failures in communications with affected 911
10 entities which is otherwise necessary to ensure the availability of critical infrastructure. CenturyLink
11 QC commits to improve communications with entities involved in the 911 process. It will also
12 attempt to parallel FCC requirements. CenturyLink QC’s communications will continue with
13 affected entities until the issues are resolved. CenturyLink QC’s Remedy Plan commits to certain
14 performance measurables in this regard. It will also continue bimonthly meetings with the entities
15 listed in the Remedy Plan where there have been issues in the past.

16 **Remedy Plan, Item V.** Item V is intended to ensure that customer complaints are addressed
17 quickly and effectively. Again, performance measurables were agreed upon and committed to by
18 CenturyLink QC. The Company agrees to respond to informal customer complaints in 3 days rather
19 than the 5 days required in the Service Quality Rules. The Company will assign a specific team
20 tasked with resolving customer complaints. The Company also commits to meet every month with
21 Staff to discuss responsiveness and potential improvements. The Company also agrees to meet with
22 ACT Towing to ensure that their issues are resolved. For each of the customers who filed a
23 complaint in the OSC, two months’ credit on all intrastate telecommunications services will be
24 provided.

25 **Remedy Plan, Item VI.** Item VI of the Remedy Plan is intended to address the diversion of
26 911 service problems. The Company commits to ensuring that its phone lines do not cause phantom
27 911 calls as alleged in a customer complaint. CenturyLink QC agrees to verify that the necessary
28 repairs to the customer’s line have been completed. CenturyLink QC commits to repair the

1 administrative phone line service for the Page Police Department, so customers do not have to call
2 911 for nonemergency matters. It will verify that the repairs have been made in its first monthly
3 report filed with the Commission. CenturyLink QC will respond to such issues when they arise
4 quickly in the future so 911 resources are not diverted.

5 **Remedy Plan, Item VII.** This Item addresses the implementation of best practices to ensure
6 the availability of critical infrastructure – CenturyLink QC will identify and ensure that the best
7 practices identified by the FCC relative to the outages on December 2018 and July 2019 are in place
8 to prevent reoccurrence of those events. CenturyLink QC has already implemented the best
9 practices identified to address reoccurrence of such outages through the implementation of best
10 practices; and will describe the steps taken in its first monthly report to the Commission.
11 CenturyLink QC will also be adding the June 6, 2020 outage in Southern Arizona to this
12 commitment to ensure best practices with regard to this outage are implemented. Best practices will
13 be reviewed on an ongoing basis and in conjunction with any other outages that may occur.
14 CenturyLink QC will also report to the Commission on the implementation of best practices for the
15 outages that are discussed in the Remedy Plan.

16 **Remedy Plan, Item VIII.** This Item will ensure that the Commission is kept fully apprised
17 of all progress made on the issues identified in the OSC. All compliance reports will be filed in both
18 of the Dockets that are part of the OSC. The Company commits to reporting on its progress during
19 the Open Meeting every other month for the first 6 months, and then quarterly until December 31,
20 2022, the end of the Consulting/Reporting period.

21 24. Mr. Goodwin summarized that the Company is serious about compliance and
22 providing the best 911 service in Arizona that is possible. CenturyLink QC's Vice-President of
23 Operations, Mr. Denny Gale, reiterated that CenturyLink QC fully supports the proposed Remedy
24 Plan and is committed to working with Staff and will do everything that can be done to meet all of
25 the deadlines and commitments in the Remedy Plan.

26 25. Chairman Burns offered Amendment No. 1, the purpose of which was to extend the
27 Consultation/Reporting Period, incentivize shorter repair timeframes, and add more specificity to the
28 Remedy Plan.

1 26. Commissioner Dunn stated that the Remedy Plan demonstrated a more significant
2 commitment than he had seen before on CenturyLink's part. Commissioner Dunn expressed the
3 need for information to be placed in the Docket where diversity and/or redundancy are lacking in
4 Arizona; since both diversity and redundancy are important to ensuring that 911 service is available
5 to everyone in Arizona. Commissioner Dunn also asked about funding for redundancy and diversity.
6 CenturyLink QC counsel Goodwin stated that the Page diverse route would be covered by
7 CenturyLink QC alone. In other areas of the state, all the entities and providers that would benefit
8 would be enlisted to support the necessary funding. Mr. Goodwin reiterated that CenturyLink QC is
9 really committed to this effort. They will actively seek out funding partnerships for building
10 diversity in the vulnerable areas of the state. They will be persistent and will work to get these
11 problems resolved on a statewide basis.

12 27. Commissioner Kennedy asked about the use of third-party contractors. CenturyLink
13 QC counsel Goodwin explained that the percentage of outsourcing was a bargained for element in
14 their negotiations with CWA and that there were other considerations that went into these decisions
15 as well. Commissioner Kennedy indicated that transparency improves public trust; and that there are
16 not enough metrics and goals set forth in the plan to accomplish these objectives. Commissioner
17 Kennedy indicated that she believed the commitments made by CenturyLink QC are ones that the
18 Company should already be doing under its tariffs and federal law.

19 28. Commissioner Olson also expressed concern regarding diversity and redundancy and
20 the need to resolve these issues. He stated that it is important to see solutions and fixes so that 911
21 can be counted on throughout the state. Commissioner Olson stated that he supports the Remedy
22 Plan which sets forth a process for finding solutions for the problems identified in the OSC. If
23 CenturyLink does not follow through with the Remedy Plan, the OSC can be revived.
24 Commissioner Olson supports the Remedy Plan because he would rather have the parties use their
25 time to find solutions to diversity and redundancy and the other issues; rather than litigating.

26 29. Commissioner Márquez Peterson asked about diversity and redundancy in Payson and
27 why that was not prioritized. CenturyLink QC counsel Tim Goodwin stated that its landline service
28 is fully diverse for 911 for Payson; they have both a radio and fiber connection in that area.

1 However, a lot of the 911 calls are wireless. CenturyLink QC will encourage partnerships with
2 wireless providers to facilitate diverse traffic with CenturyLink QC or others. There are many
3 considerations. For instance, the radio's capacity is not sufficient to provide diversity for broadband;
4 it is primarily for telephone and 911 diversity. CenturyLink QC counsel Goodwin stated the Task
5 Force will address these types of problems; and Payson should be a top priority with respect to
6 diversity and redundancy. There is a lot of activity in the Payson area. For instance, APS is working
7 on a fiber connection in that area. The stakeholders need to determine diverse connections for not
8 only wireless service but for broadband service as well. In addition, 911 service will likely require
9 more bandwidth in the future if video or other such services are contemplated. Mr. Goodwin also
10 stated that sharing information on location of planned routes and other issues may be important to
11 local authorities in the placement of PSAPs. All of this will be examined by the Task Force.
12 Commissioner Márquez Peterson also asked about notifications on the availability of 911 service,
13 when the paths go down. CenturyLink QC attorney Goodwin stated that alerts are sometimes at the
14 discretion of the local authority. CenturyLink QC is working on improving its communications with
15 PSAPs and others which may enable them to make more informed decisions on alerts.
16 Commissioner Márquez Peterson asked that this topic be made an agenda item for a future Task
17 Force meeting.

18 30. Staff recommended approval of the Remedy Plan. The Commission voted to approve
19 the Remedy Plan as modified by Chairman Burns Amendment No. 1 and directed Staff to do a
20 conforming order. The approved Remedy Plan is attached as Exhibit A.

21 CONCLUSIONS OF LAW

22 1. The Commission has jurisdiction to hear complaints against public service
23 corporations pursuant to A.R.S. § 40-246. The Commission has jurisdiction to supervise and
24 regulate public service corporations pursuant to Article XV of the Arizona Constitution and Title 40
25 of the Arizona Revised Statutes.

26 2. CenturyLink QC is a public service corporation within the meaning of Article XV of
27 the Arizona Constitution and is subject to the jurisdiction of the Commission.
28

3. The Commission has jurisdiction over the subject matter of Staff's Complaint and
Petition for an Order to Show Cause and CenturyLink QC's proposed Remedy Plan.

4. The Commission finds that the Remedy Plan, as amended, is in the public interest.

ORDER

IT IS THEREFORE ORDERED, that CenturyLink QC's Remedy Plan, as modified, is
hereby approved by the Commission and is attached as Exhibit A.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION

 **DISSENT**
CHAIRMAN BURNS COMMISSIONER OLSON COMMISSIONER KENNEDY


COMMISSIONER OLSON

ABSTAINED
COMMISSIONER MARQUEZ PETERSON



IN WITNESS WHEREOF, I, MATTHEW NEUBERT,
Executive Director of the Arizona Corporation
Commission, have hereunto, set my hand and caused
the official seal of this Commission to be affixed at the
Capitol, in the City of Phoenix, this 30 day of June
2020.


MATTHEW NEUBERT
EXECUTIVE DIRECTOR

DISSENT: 

DISSENT: _____

1 SERVICE LIST FOR: Qwest Corporation dba CenturyLink QC

2 DOCKET NO. T-01051B-19-0001
3 T-01051B-19-0183

4 Tim Goodwin
5 CENTURYLINK
6 Associate General Counsel
7 931 14th Street, 12th Floor
8 Denver, Colorado 80202

9 Robin R. Mitchell
10 ARIZONA CORPORATION COMMISSION
11 Director - Legal Division
12 1200 W. Washington St.
13 Phoenix, AZ 85007
14 LegalDiv@azcc.gov
15 utildivservicebyemail@azcc.gov
16 **Consented to Service by Email**

EXHIBIT A

CENTURYLINK QC'S ARIZONA REMEDY PLAN

Submitted for Arizona Corporation Commission Consideration and Approval

The purpose of the Remedy Plan is to address Commission and consumer concerns discussed in Staff's Complaint and Order to Show Cause filed on April 28, 2020, and the Order to Show Cause issued by the Commission on May 14, 2020. It establishes metrics to measure progress, and provides periodic reporting, filing, and accountability processes during the Consultation/Reporting period. References to the Consultation/Reporting Period refer to a period in which the Company agrees to consult with Staff and comply with certain reporting requirements contained in the Remedy Plan. At the end of the Consultation/Reporting Period, CenturyLink QC shall petition the Commission to close the Order to Show Cause Proceeding and be released from its Consultation/Reporting obligations identified herein.

I. MAINTENANCE OF INFRASTRUCTURE/FACILITIES (Responds To Concerns Identified In Count Ten Of The Complaint And Raised In Docket No. T-01051B-19-0183)

Key Principles: Identify facilities needing repair; Ensure appropriate and timely repairs are made; File monthly reports; Increase employee and public awareness.

A. Performance Target/Measurables:

1. CenturyLink QC shall keep a log of all enclosures/facilities within its service territory statewide in need of repair. Included on the list shall be the enclosures and facilities identified in Docket No. T-01051B-19-0183 and other enclosures/facilities it receives notification concerning the need for repair (CenturyLink QC will coordinate with Commission Staff to properly identify and locate each facility identified in Docket No. T-01051B-19-0183) in addition to other enclosure/facilities on which the Company receives notification. Notification may be made by a customer, CenturyLink QC employee or Commission personnel or other interested individual or entity. The notification must include the date and location of the impacted enclosure/facility and a contact for follow-up.
2. Throughout the Consultation/Reporting Period, CenturyLink QC endeavors to repair all identified enclosures/facilities within 20 days but will make repairs in no more than 30 days after notification of a need for repair. Such repairs shall be subject to permitting processes as applicable and any force majeure issues. (For purposes of

EXHIBIT A

this agreement, "force majeure" shall be interpreted consistent with the term's use in AAC § R14-2-507(C)).

3. In the event CenturyLink QC encounters permitting delays or force majeure issues, CenturyLink QC will report on those delays and CenturyLink QC's efforts to resolve them, in the monthly report.
4. If an enclosure/facility is determined by CenturyLink QC to belong to another provider, CenturyLink QC shall, notify the other provider and note that in its log.

B. Key Commitments:

To make sure we have sufficient "eyes and ears" from our employees and customers on enclosure/facility repair needs, CenturyLink QC commits to regularly and constantly patrol CenturyLink QC's network to identify, report, and repair enclosures and facilities in disrepair. The best way to make sure this is accomplished consistently is to leverage the constant presence of our technicians in the field across our Arizona network, making efficient use of their existing work and travels. Specific tasks:

1. Encourage and empower Arizona field employees, requesting their assistance to regularly and constantly patrol CenturyLink QC's Arizona territory for enclosures and facilities in disrepair, and to observe, identify, and communicate needed repairs.
2. Emphasize to employees that they should keep their eyes open for needed repairs not just while they are at a particular repair/installation/maintenance location, but on the way to and from each job and between jobs, and report needed repairs to management.
3. Post signs in tech garages emphasizing need to identify and promptly repair damaged or worn out enclosures.
4. Regularly emphasize need for enclosure and facility maintenance and upkeep at field technician meetings.
5. Send periodic emails to field employees reminding them of the importance of enclosure and facility maintenance and upkeep.
6. Post methods of reporting needed enclosure/facility repairs in Arizona on CenturyLink QC's website, including an email address and a telephone number for reporting needed repairs. The telephone number need not be staffed or answered but must be regularly (at least once per day) monitored and have sufficient voicemail capacity to receive notifications. Staff and CenturyLink QC shall agree on and file the contents of notice within 10 days after approval of this Remedy Plan.

EXHIBIT A

C. Monthly Reporting/Meetings with Staff:

1. File monthly report with counts of enclosures repaired, with before and after pictures where possible, throughout the Consultation/Reporting period.
2. Monthly report will also include tracking of all notifications regarding enclosure repairs needed.
3. During the Consultation/Reporting period, monthly status meetings with Staff to discuss reports and progress on enclosure/infrastructure repair.
4. Following the Consultation/Reporting Period, CenturyLink QC will continue to actively monitor its enclosures and facilities for needed repairs and complete needed repairs promptly, and will keep the phone number and email address active, and shall comply with the requirements of section 2.2.4.D of its service quality tariff regarding the maintenance of records of trouble reports and the requirements of section 2.2.4.B regarding records of tests, inspections, and maintenance.

II. OUTAGES – AVAILABILITY OF CRITICAL RESOURCES (Responds To Concerns Identified In Counts One, Two, Four, Five, Six, Seven, And Eight, Paragraphs 16 - 31 and 35-56 Of The Complaint And Raised In Docket No. T-01051B-19-0183).

Key Principles: On a statewide basis, minimize 9-1-1 service failures and telephone service failures impacting an end user's ability to call 9-1-1; develop and improve communications plans and processes for 9-1-1 service outage events; work to find solutions for facilities diversity to ensure availability of critical 9-1-1 services affecting health and safety.

A. Performance Measurables to Respond to Specific Redundancy Issues Identified in the Complaint:

1. Provision/obtain diverse fiber connection for Page wire center by December 31, 2020 (subject to successful completion of contract with third party, as anticipated).
2. Establish 9-1-1 Task Force to address:

EXHIBIT A

- a) redundancy and diversity issues on a statewide basis;
- b) Communication plans and processes to follow during 9-1-1 service outages; and
- c) other 9-1-1 issues of concern as identified by the Task Force.

The Task Force's first priority shall be to address redundancy and diversity issues on a statewide basis.

B. Key Commitments/Task Force and Workshops

CenturyLink QC commits to fully participate and drive toward solutions to improve (a) physical diversity in interoffice transport across the state, and (b) coordination and communication among and between 9-1-1 providers like CenturyLink QC, PSAPs, and the Commission, particularly during and immediately after outage events. CenturyLink QC will work with Staff to recruit and establish a 9-1-1 task force involving key stakeholders across the telecommunications industry and emergency response community, aimed at building partnerships to fund uneconomic routes in vulnerable areas.

1. Key stakeholders to approach:

- a) Commission/Staff
- b) Originating service providers (landline, wireless, cable, VoIP).
- c) 9-1-1 service providers
- d) PSAPs
- e) State 911 Office
- f) Fiber providers
- g) Electricity and Gas Utilities that have placed or are considering placing fiber that could be shared
- h) Arizona Department of Transportation (find ways to share smart highway initiative infrastructure)
- i) State Broadband Office
- j) CWA
- k) Interested Legislators (to help solve statutory barriers)

EXHIBIT A

2. **Key Areas of Task Force Focus** (some may require subcommittees or breakout groups):

a) Diversity

(1) Inventory

- (a) Leverage CenturyLink QC diversity map and FCC diversity audit report filed in Docket No. T-00000A-19-0179. CenturyLink QC will file those documents in Docket No. T-01051B-19-0001.
- (b) Seek information from all companies who are placing fiber across the state to see where possible partnerships or connections might exist for CenturyLink QC and other originating service providers.
- (c) CenturyLink QC commits to meet with each PSAP/9-1-1 authority individually and personally, at their request, to discuss contingency plans and diversity audit results relevant for each PSAP so that PSAPs can appropriately plan answering points and other PSAP architecture/resources.

(2) Prioritize

- (a) Determine criteria and prioritize which non-diverse areas to focus on first.
- (b) Estimate costs for high-priority areas

(3) Fund

- (a) Explore all possible funding and partnership solutions to diversity challenges in priority areas.
- (b) Explore opportunities for surcharges and other means of public funding or support.
- (c) CenturyLink QC cannot fund all diversity projects alone but commits to diligently pursue funding and support solutions and partnerships, and transparently discussing funding challenges. (Note: CenturyLink QC does commit to funding the Page diversity project mentioned above without outside help or support).

3. **Communication:** Engage in workshops (possibly coordinated with other Task Force events) inviting PSAPs statewide to collaborate on better communication during and after outage events among

(1) Originating Service Providers

(2) 9-1-1 Providers

EXHIBIT A

(3) PSAPs/Responding Authorities

(4) Commission

4. **Reporting:** CenturyLink QC to file non-confidential summary of any meetings or workshops in monthly reports.

III. IMPROVED OUTAGE REPORTING/NOTIFICATION STANDARDS (Responds to Issues Contained In Counts One And Nine, Paragraphs 57 to 59 Of The Complaint And Raised In Docket No. T-01051B-19-0183)

Key Principles: Clarify current reporting standards and address in current rulemaking proceeding.

A. Outage Reporting Measurable:

1. CenturyLink QC agrees to provide outage reporting to the Commission consistent with FCC Network Outage Reporting System ("NORS") standards coincident with each NORS report filing.
2. CenturyLink QC shall address NORS reporting standards in the current rulemaking to clarify AAC § R14-2-507(D)(5)'s references to "major interruptions" and "major division."

Note: May need discussion of appropriate rule standards, as § 2.2.3.A.1 of CenturyLink QC's current service quality tariff currently provides for reporting at level of "the lesser of 25 percent or 1,000 of the exchange's local access lines for one or more hours during the day."

3. CenturyLink QC shall provide automated network event reporting to appropriate Commission staff using standards defined at section 2.2.3.A.1 of CenturyLink QC's current service quality tariff. CenturyLink QC shall promptly modify distribution list for such reporting at Staff's request.

B. Key Commitments:

1. CenturyLink QC to explain nonreported outages mentioned in OSC Complaint to Staff's satisfaction.
2. Quarterly outage report analysis meetings with Staff during the Consultation/Reporting period. Encourage Commissioners or their staff to join,

EXHIBIT A

consistent with open meeting rules, but presentations will need to be kept confidential for network security reasons.

- a) Discussion to be preceded by providing detailed, confidential analyses of outages occurring during quarter, including causes and remedial steps taken.

IV. IMPROVE COMMUNICATIONS WITH AFFECTED ENTITIES TO ENSURE AVAILABILITY OF CRITICAL INFRASTRUCTURE. (Responds To Concerns Contained In Count Two and Paragraphs 25-32 Of The Complaint And Raised In Docket No. T-01051B-19-0001)

Key Principles: Improve communications with all affected entities when critical 9-1-1 infrastructure is affected on a statewide basis.

A. Performance Measurables:

1. Consistent with the requirements of 47 CFR § 4.9(h), CenturyLink QC shall
 - a. within thirty minutes of discovering an outage of its 9-1-1 service that potentially affects a 9-1-1 special facility (as defined in 47 CFR § 4.5), notify as soon as possible but no later than thirty minutes after discovering the outage any official who has been designated by the affected 9-1-1 special facility as CenturyLink QC's contact person(s) for communications outages at that facility and convey all available information that may be useful in mitigating the effects of the outage, as well as a name, telephone number, and email address at which the service provider can be reached for follow-up.
 - b. communicate additional material information to the affected 9-1-1 special facility as it becomes available, but no later than two hours after the initial contact. This information shall include the nature of the outage, its best-known cause, the geographic scope of the outage, the estimated time for repairs, and any other information that may be useful to the management of the affected facility.
 - c. transmit all notifications by telephone and in writing via electronic means in the absence of another method mutually agreed upon in advance by the 9-1-1 special facility and the covered 9-1-1 service provider.

B. Key Commitments:

1. CenturyLink QC to continue bimonthly meetings with Pima County area 9-1-1 authorities to improve communication and coordination.

EXHIBIT A

2. CenturyLink QC to meet bimonthly with Page city and/or Page municipal utility representatives to discuss 9-1-1 improvements and resolution of pole ownership and maintenance disputes.

V. ENSURE CUSTOMER COMPLAINTS ARE TIMELY AND EFFECTIVELY RESOLVED (Responds To Concerns Discussed In Count 4 and Paragraphs 35-43 Of the Complaint)

Key Principles: Identify and timely address necessary repairs to preserve end user access to 9-1-1 service; Improve communications with customers and Staff

A. Complaint/9-1-1 Service Repair Measurable:

1. CenturyLink QC commits that no more than 0.03% of its Arizona voice customers will file informal or formal complaints regarding the quality of their telephone service or repairs monthly, measured on a three-month rolling average, during the Consultation/Reporting Period. Complaints about billing issues or non-regulated services are not to be included in this metric.
 - a) In the event more than this 0.03% target is exceeded in any single month, CenturyLink QC will prepare an analysis of the complaints and a detailed plan to address any network or facility issue, or force majeure problem, that may be causing such complaints.
2. CenturyLink QC will assign a specific team from its Customer Advocacy Group to handle Arizona customer complaints during the Consultation/Reporting period.
3. During the Consultation/Reporting Period, CenturyLink QC agrees to immediately respond to repair/service quality complaints within three business days instead of the five business days permitted by rule/tariff. CenturyLink QC's response shall include an initial assessment of the situation which is conveyed to Consumer Services and the customer and a plan of action to resolve the issue. Communications shall continue with Consumer Services and the customer until the issue is resolved. Following the Consultation/Reporting Period, CenturyLink QC shall continue to respond promptly to customer complaints consistent with the requirements of section 2.3.1 of its service quality tariff.

B. Monthly Reporting/Meetings between Management and Technical Experts

1. Monthly during the Consultation/Reporting period, provide report of each repair/service quality complaint and resolution to Staff, then meet to discuss responsiveness and potential improvements. After the first quarter of these

EXHIBIT A

monthly meetings, Staff and CenturyLink QC may agree to modify the meeting interval.

2. Personal meeting between CenturyLink QC management and appropriate technical experts for any open consumer complaint included in the OSC Complaint, particularly ACT Towing.
3. If not repaired already, completely repair service as soon as practicable for each customer.
4. Include any repairs performed or required under this section in monthly report provided to Staff.

C. Customer Remedies:

1. For each of the nine customers who filed complaints identified in the OSC Complaint (Exhibits 4-12), if not done already, immediately provide two months' credit on all intrastate telecommunications services – no questions asked.

VI. PREVENTION OF DIVERSION OF 9-1-1 RESOURCES. (Responds To Concerns Raised In Count Three and Paragraphs 33 and 34 Of the Complaint)

Key Principles: Prevent Telephone Service Problems From Diverting 9-1-1 Resources

A. Measurable: Resolve Issues of Diverted 9-1-1 Resources Identified In Complaint.

B. Remedy Steps:

1. CenturyLink QC will ensure that phone line problems do not cause phantom 9-1-1 calls as alleged in customer complaint discussed at paragraph 33 and Exhibit 5 of the Complaint and verify repairs to customer line have been completed in first monthly report.
2. CenturyLink QC will repair administrative phone line service for Page Police Department so that customers no longer need to call 9-1-1 for non-emergency matters and verify repairs have been completed in first monthly report.

EXHIBIT A

VII. IMPLEMENT PROCEDURES OR BEST PRACTICES WHERE APPROPRIATE TO ENSURE AVAILABILITY OF CRITICAL INFRASTRUCTURE. (Responds To Concerns Raised In Count Six, Paragraphs 52 through 56 Of the Complaint)

Key Principles: Ensure best practices are adopted to prevent reoccurrence of outage events mentioned in Complaint.

A. Performance Measures:

1. CenturyLink QC to identify and implement best practices relevant to issues underlying (a) the December 2018 outage event described at paragraphs 52-56 and Exhibit 15 of the Complaint, and (b) the July 2019 9-1-1 service outage described at paragraph 50 and Exhibit 3 of the Complaint. CenturyLink QC has also agreed to identify and implement best practices relevant to issues underlying the June 6, 2020 outage in Southern Arizona.
2. Within 20 days after the date this Remedy Plan is approved, CenturyLink QC shall identify best practices set by the FCC relative to the December 2018, July 2019, and the June 2020 events above, and file a report in the two Complaint dockets verifying that those best practices have been implemented to prevent reoccurrence of those events.

B. Key Commitments:

1. On a statewide basis, CenturyLink QC will follow best practices in its general network management and in the provision of 9-1-1 services.
2. CenturyLink QC shall follow and observe the best practices and service standards set forth in sections 2.4 and 2.5 of the CenturyLink QC service quality tariff.

VIII. ACCOUNTABILITY TO COMMISSION.

Key Principles: Ensure that the Commission is kept fully apprised of all progress made on the issues identified in the OSC.

A. Performance Measurements and Key Commitments:

1. File all reports in above steps in 19-0001 and 19-0183 dockets using attached format.

EXHIBIT A

2. Report on progress during open meeting every other month for the first 6 months; and thereafter quarterly until December 31, 2022 (the end of the Consultation/Reporting Period).
3. The OSC proceeding will be held in abeyance. At the conclusion of the Consultation/Reporting Period, CenturyLink QC shall petition the Commission to dismiss the OSC. If CenturyLink QC fails to make significant progress toward resolving the issues in the OSC, the Commission may at any time, order that a procedural conference be held to establish a schedule for testimony, discovery, and hearing at any time it is dissatisfied with progress on this Remedy Plan.